



Susan Bysiewicz
SECRETARY OF THE STATE
CONNECTICUT

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- PRESS RELEASE -

BYSIEWICZ ENDORSES FEDERAL LEGISLATION ALLOWING NON PARTISAN VOTER REGISTRATION AT VETERANS HEALTH CARE FACILITIES

CALL TO LIFT V.A. BAN ON VOTER REGISTRATION DRIVES ALSO JOINED BY
NATIONAL VOTER ADVOCACY GROUPS

HARTFORD: Secretary of the State Susan Bysiewicz today endorsed federal legislation sponsored by U.S. Senators Dianne Feinstein (D-Calif.) and John Kerry (D-Mass.) that would require the U.S. Department of Veterans Affairs to provide voter registration services to veterans in the department's care and allow non partisan groups and election officials to conduct voter registration drives at V.A. hospitals, nursing homes, and homeless shelters nationwide.

"So far, our call on the V.A. to allow our veterans to participate in Democracy has fallen on deaf ears," said Bysiewicz, "I applaud the efforts of Senators Feinstein, Kerry, Obama, Clinton and all the co-sponsors of this bill and wholeheartedly endorse their very simple yet thoughtful legislation. All it says is: Let our veterans vote!"

Bysiewicz continued, "The clock is ticking. We now have just over 100 days until the most important national election in a generation. Our military veterans who sacrificed so much to preserve our right to vote deserve access to information about voting and they should be allowed to register to vote in the V.A. facilities. To deny these fundamental rights through bureaucratic restrictions is undemocratic and un-American, and a slap in the face to our brave veterans."

The co sponsors of Senate bill #3308 include Senators Harry Reid (D-NV), Barack Obama (D-Ill), Hillary Rodham Clinton (D-N.Y.), Patrick Leahy (D-VT), Chuck Schumer (D-N.Y.), Patty Murray (D-WA) and Ron Wyden (D-OR).

“Our nation's service members and veterans have sacrificed so much for our country on the battlefield that we cannot allow them to fight another battle here at home for the benefits and rights they deserve,” said Senator Obama. “Whether Americans are abroad serving in the Armed Forces, or recovering and living in VA facilities, it is critical that we ensure these brave men and women can exercise their right to vote.”

“This is about giving those who have fought to spread democracy and freedom the right to exercise that freedom in the voting booth,” Senator Feinstein said. “I believe the cost of providing voter materials is minimal. And given the sacrifices that these men and woman have made, providing easy access to voter registration services is the very least we can do.”

On July 21st, Bysiewicz received a letter pledging the support from leaders of several national voter advocacy groups, including Common Cause, Demos, The League of Women Voters, and The American Association of People with Disabilities.

The non-partisan voter advocacy groups stated in the letter that, “The American people would surely expect that the federal agency established to serve the needs of our veterans would make every effort to help them exercise the most fundamental right of citizenship,” and was mailed to V.A. Secretary James Peake and election officials throughout the country.

On May 5th, The U.S. Department of Veterans Affairs issued a directive banning voter registration drives at V.A. facilities nationwide, claiming they were partisan and would be too disruptive to patient care. On June 30th, Secretary Bysiewicz and Connecticut Attorney General Richard Blumenthal attempted to go to the V.A. hospital in West Haven, CT but were not allowed inside the facility. Despite the ban, Bysiewicz was able to register 12 veterans to vote at the West Haven V.A., including 92 year-old WWII veteran Martin O’Neal.

Bysiewicz and Blumenthal then formally requested the V.A. reverse its policy and allow for voter registration and education for veterans about new optical scan machines, paper ballots, and new voting systems in place in Connecticut for the disabled.

On July 11th Secretary Bysiewicz and Washing State Secretary of State Sam Reed launched a bi-partisan effort among Secretaries of the State to over turn the original V.A. directive, which prohibits staff from participating in voter registration drives for patients and residents of hospitals, nursing homes, rehabilitation centers and homeless shelters administered by the federal Veterans Administration.

In a letter to V.A. Secretary James Peake, Bysiewicz and Reed wrote, “As a practical matter, voter registration drives have historically been a critical outreach tool for veterans in facilities to ensure that they get the opportunity to register to vote. Many veterans simply are not able to get out on their own, rendering registration much more difficult. Likewise, the longstanding practice of allowing facility employees to assist veterans in registering to vote has provided valuable assistance to veterans in need.”

The call to lift the ban was signed by 20 Secretaries of State representing voters in Connecticut, Washington, Montana, Idaho, Iowa, Minnesota, Oregon, Kentucky, Pennsylvania, West Virginia, North Carolina, Massachusetts, New Hampshire, Ohio, Maine, Vermont, Rhode Island, Kansas, Missouri, and the District of Columbia.

In a letter dated July 15, 2008 Secretary Peake of the Veterans Association stated the only people who can register patients to vote are officially certified volunteers. However, the fine print of the volunteer forms states that volunteers can only register veterans at federal run facilities who specifically request the help. Furthermore, the volunteer form states that the volunteers may not encourage the V.A. patients to participate in the political process through activities such as voting.

In a follow up letter, Connecticut V.A. Administrator Roger Johnson wrote that voter education about the new paper ballots and optical scan machines would not be allowed, since the V.A. assumes most of its patients will be voting by absentee ballot. This directly contradicts the Help America Vote Act of 2002, which states that voters, especially those with disabilities, have the right to vote privately and independently.

The proposed legislation not only takes up the call by elections officials from around the country to reverse the VA ban, but would also require the VA to make voter registration services available at VA facilities in states that request it, in accordance with the National Voter Registration Act of 1993. These services include providing voter registration forms, answering questions on registration issues and assisting with submitting voter registration forms.

The bill also requires the VA to assist veterans at facilities to receive and use absentee ballots if they choose to vote absentee and allow non-partisan groups and election officials to provide voter information and registration information to veterans.

“It shouldn’t have taken a legislative solution to fix a bureaucratic problem, but that’s what it’s come down to in the name of common sense and patriotism,” Senator Kerry said. Making it easier not harder for veterans to vote is the least we can do in our democracy for those who fought for democracy around the globe. The cost of getting these voter materials to veterans is tiny, but its meaning is bigger than any of us.”

Secretary Bysiewicz and Attorney General Blumenthal have given the V.A. until August 1st to allow voter education and registration at its hospitals, nursing homes and homeless shelters and have pledged to use all available means, including legal action if necessary, to secure our military veterans’ rights to vote.

****Letters Attached****



July 21st, 2008

Dear Secretary Bysiewicz,

We write to commend you for your leadership in attempting to expand opportunities for our nation's veterans to register and vote in this and future elections. Americans who have risked their lives in defense of the nation deserve every chance to exercise the most cherished right of citizenship. Your actions to designate the Department of Veterans Affairs (VA) as a voter registration agency, as authorized by the National Voter Registration Act of 1993, would significantly advance that goal.

Inspired by your efforts, our organizations have launched a national campaign to expand veterans' voter registration opportunities. Dēmos, Common Cause, The League of Women Voters and the American Association of People with Disabilities have written to Department of Veterans Affairs Secretary Peake, urging him to reverse his decision on designation of VA sites in California as voter registration agencies, and to approve any subsequent state request. We and grassroots, state-based chapters around the country have also sent letters to the chief elections officials in each state, calling on them to follow your lead in designating VA offices and facilities as voter registration agencies and requesting that Secretary Peake agree to the designation.

The American people would surely expect that the federal agency established to serve the needs of our veterans would make every effort to help them exercise the most fundamental right of citizenship. We again commend you on your leadership in that regard, and hope that our complementary efforts will help prompt the Department of Veterans Affairs to reverse its recent action. Dēmos, Common Cause, The League of Women Voters and the American Association of People with Disabilities stand ready to support any further actions that you might undertake on this issue.

Thank you for your attention to this matter.

Bob Edgar, President
Common Cause

Andy Sauer, Executive Director
Common Cause Connecticut

Miles Rapoport, President
Demos

Mary Wilson, President
The League of Women Voters

Jara Burnett, President
The League of Women Voters of Connecticut



July 21st, 2008

Dear Secretary Peake,

We are writing today to express our disappointment with your recent decision not to agree to the designation of the Department of Veterans Affairs (VA) as a voter registration agency for purposes of Section 7 of the National Voter Registration Act (NVRA). We further believe that the Veterans Health Administration erred on May 5, 2008 when it prohibited non-partisan voter registration drives at its medical facilities. We ask that you reconsider and reverse these unfortunate actions.

Our nation's veterans, who have risked their lives in defense of the nation, deserve every chance to exercise the most cherished right of citizenship -- the right to register and vote in this and future elections. The VA can help realize that goal by agreeing to be designated as a voter registration agency, as authorized by the National Voter Registration Act of 1993 (NVRA) and as requested this year by California Secretary of State Debra Bowen and Connecticut Secretary of State Susan Bysiewicz. With such designation, VA offices and facilities would be required to offer voter registration to individuals served there, as currently practiced at public assistance agencies and at offices that provide services to people with disabilities.

As you know, Section 7 of the NVRA directs that "[e]ach State shall designate agencies for the registration of voters in elections for Federal office." 42 U.S.C. § 1973gg-5(a)(1). Federal offices may be so designated, with their agreement. 42 U.S.C. § 1973gg-5(a)(3)(B)(ii). The law also directs that all federal departments "shall, to the greatest extent practicable, cooperate with the states in carrying out [agency-based voter registration]." 42 U.S.C. § 1973gg-5(b). Federal cooperation with these procedures is further compelled by Executive Order 12926, promulgated by President Clinton in 1994. The Executive Order orders federal departments to agree to any request to be designated as a voter registration agency, provided that such a designation is consistent with the department's legal authority and availability of funds. Exec. Order No. 12,926, 59 Fed. Reg. 47,227 (Sept. 12, 1994).

Designation of the VA as a voter registration agency would be clearly consistent with your mission, "To care for him who shall have borne the battle and for his widow and orphan" by functioning "as a single, comprehensive provider of seamless service to the men and women who have served our nation." Moreover, voter registration services can be provided at minimal cost to the VA. Adding voter registration to the comprehensive services already provided by the Department of Veterans Affairs clearly

advances the policies and goals set out in the National Voter Registration Act and Executive Order 12926, and properly honors the sacrifices made by the men and women of our armed services.

Your recent decision to oppose such designation by California Secretary of State Debra Bowen seems to be based on a misunderstanding of federal law. Contrary to the assertions in your letter to Secretary Bowen, the NVRA does not require that the VA, if it is to be designated a voter registration agency, “provide states guidance, funding and personnel resources in addition to offering voter services at their facilities.” These requirements of Executive Order 12926 *would not* apply to the VA because the VA would provide voter registration services itself, rather than through a state agency. Section 7 of the NVRA simply would require the VA to “provide ... the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms...” Thus, the voter registration process for veterans would fit efficiently and easily into the VA’s own processes.

We also fail to understand the reasoning behind Veterans Health Administration Directive 2008-025, prohibiting all voter registration drives at its medical facilities and raising legal barriers to activities by nonpartisan voter registration groups. The VA has taken these actions even though “the right to register and vote” is explicitly protected in its patients’ rights regulation. 38 C.F.R. § 17.33. Each year, dedicated volunteers at Leagues of Women Voters and countless other community groups do a tremendous service to the nation by assisting eligible Americans in registering to vote. These services are vital. Over one-quarter of voting age citizens were unable to cast a ballot in the last presidential election because they had not registered to vote. VHA patients surely figured among them.

Americans who have risked their lives in defense of the nation deserve every opportunity to exercise the most cherished right of citizenship. That goal is clearly served where the Department of Veterans Affairs is designated as a voter registration agency and nonpartisan groups are permitted to offer voter registration to VHA patients. The American people would surely expect that the federal agency designed to serve the needs of our veterans would make every effort to help them register to vote.

Thank you for your attention to this matter.

Jim Dickson, Vice President
The American Association for People with Disabilities

Bob Edgar, President
Common Cause

Miles Rapoport, President
Demos

Mary Wilson, President
The League of Women Voters